

STATE OF NEW HAMPSHIRE  
INTRA-DEPARTMENT COMMUNICATION

**FROM** Andrew O'Sullivan  
Wetlands Program Manager

**DATE** October 1, 2020  
**AT (OFFICE)** Bureau of Environment

**SUBJECT** Wetland Bureau Permit #2020-01554  
Columbia-Colebrook, #42313  
Br. 108/167

**TO** David Scott, Bureau of Bridge Design

Forwarded herewith, for your files and further use as appropriate, is a copy of the subject permit as approved by the Wetlands Bureau and the Water Division on 9/30/2020.

**Please note specific conditions on permit.**

2. In accordance with Env-Wt 307.10(g), subject to Env-Wt 307.10(h), in non-tidal waters, no dredging shall occur between October 1 and March 31 for any fish migration or larval settling area of cold water fish; or in March or April for any area that is habitat for rainbow smelt. **Both Trout and Rainbow Smelt are found in Simms Stream, therefore the construction window is only July-September for instream work!**

13. In accordance with Env-Wt 514.05(a), materials used to emulate a natural channel bottom shall be consistent with materials identified in the reference reach and not include any angular rip-rap or gravel unless specifically identified on the approved plan.

**TERRAIN ALTERATION**

Note that the non-site specific permit (RSA 485-A: 17 "Terrain Alteration") is part of this Wetlands Bureau Permit.

**WATER QUALITY CERTIFICATION**

- ☒ This permit covers the project's consideration for Water Quality protection and no further action is required by this office.
- ☐ This permit does not cover the Water Quality protection for this project. However, a Water Quality Permit will be obtained for this project.

**CORPS PERMIT STATUS**

- ☐ No Corps Jurisdiction
- ☐ SPGP (Minimum Impact) - No waiting period; no Corps approval required
- ☐ SPGP (Minor Impact)-Wait 30 days from NHWB issuance date; no written approval from Corps required
- ☒ SPGP (Major Impact)-Wait 30 days from NHWB issuance date; written approval from Corps required
- ☐ Emergency - No waiting period; No written approval from Corps required
- ☐ Amendment - No waiting period; No written approval from Corps required
- ☐ Corps Individual Permit Required

**EROSION CONTROL PLAN STATUS**

- ☐ Erosion Control Plan Required; Submit Erosion Control Plan to DES Wetlands Bureau

If you have any questions, please call 271-3226.

AMO:sel

Encl.

cc:

BOE Original

Deidra Benjamin, Environmental Coordinator (via electronic notification)

Lysa Bennet-Crouch, (via electronic notification)

Jason Tremblay and Chelsea Noyes, Bureau of Bridge Design (via electronic notification)



The State of New Hampshire  
**Department of Environmental Services**

**Robert R. Scott, Commissioner**



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**WETLANDS AND NON-SITE SPECIFIC PERMIT 2020-01554**

**NOTE CONDITIONS**

**PERMITTEE:** NH DEPT OF TRANSPORTATION  
PO BOX 483  
CONCORD NH 03302

**PROJECT LOCATION:** NH RTE 3 OVER SIMMS STREAM, COLUMBIA  
TAX MAP #ROW, LOT #ROW

**WATERBODY:** SIMMS STREAM

**APPROVAL DATE:** SEPTEMBER 30, 2020

**EXPIRATION DATE:** SEPTEMBER 30, 2025

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Based upon review of the above referenced application, in accordance with RSA 482-A and RSA 485-A:17, a Wetlands Permit and Non-Site Specific Permit was issued by the New Hampshire Department of Environmental Services (NHDES). This permit shall not be considered valid unless signed as specified below.

**PERMIT DESCRIPTION:** Dredge and fill a total of 5,972 square feet/300 linear feet of perennial stream bed and banks to rehabilitate the NH Route 3 bridge deck over Simms Stream (NHDOT #108/167) to include sealing the structure, and reconstructing channel protection. Existing channel materials will be excavated and stockpiled, and then reinstalled at essentially the same elevation as the existing riverbed, on top of the stabilized channel. Temporary impacts include 1403 square feet/68 linear feet (NHDOT Project #42313).

**THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC CONDITIONS:**

1. In accordance with Env-Wt 307.16, all work shall be done in accordance with the revised plans for NHDOT Project No. 42313, NH Route 3 in Columbia-Colebrook, plans revised August 27, 2020 as received by the NH Department of Environmental Services (NHDES) on September 3, 2020.
2. In accordance with Env-Wt 307.10(g), subject to Env-Wt 307.10(h), in non-tidal waters, no dredging shall occur between October 1 and March 31 for any fish migration or larval settling area of cold water fish; or in March or April for any area that is habitat for rainbow smelt.
3. In accordance with Env-Wt 307.10(k), dredging shall not impede fish migrations or interfere with spawning areas for fish.
4. In accordance with Env-Wt 307.04(a), activities that produce suspended sediment in jurisdictional areas that provide value as bird migratory areas or fish and shellfish spawning or nursery areas, shall be done so as to avoid and minimize discharges of dredged material or placement of fill material during spawning or breeding seasons by using water quality protection techniques as specified in Env-Wt 307 and timing of project as specified in Env-Wt 307.10(g) or (h), as applicable.
5. In accordance with Env-Wt 307.03(c)(2), water quality control measures shall be comprised of wildlife-friendly erosion control materials if erosion control blankets are utilized; a protected species or habitat has been documented; the proposed work is in or adjacent to a priority resource area (PRA); if specifically requested by Natural Heritage Bureau of the NH DNCR (NHB) or NH Fish and Game Department (NHF&G); or any if combination of the above conditions apply.
6. In accordance with Env-Wt 307.07, all development activities associated with any project shall be conducted in compliance with applicable requirements of RSA 483-B and Env-Wq 1400 during and after construction.

[www.des.nh.gov](http://www.des.nh.gov)

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095

NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588

TDD Access: Relay NH 1 (800) 735-2964

7. In accordance with Env-Wt 307.03(a), no activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards specified in RSA 485-A:8 or Env-Wq 1700; ambient groundwater quality standards established under RSA 485-C; limitations on activities in a sanitary protective area established under Env-Dw 302.10 or Env-Dw 305.10; or any provision of RSA 485-A, Env-Wq 1000, RSA 483-B, or Env-Wq 1400 that protects water quality.
8. All work shall be conducted and maintained in such a way as to protect water quality as required by Rule Env-Wt 307.03(a) through (h).
9. In accordance with Env-Wt 307.03(c)(4), water quality control measures shall be capable of minimizing erosion; collecting sediment and suspended and floating materials; and filtering fine sediment.
10. In accordance with Env-Wt 307.03(c)(3), water quality control measures shall be installed prior to start of work and in accordance with the manufacturer's recommended specifications or, if none, the applicable requirements of Env-Wq 1506 or Env-Wq 1508.
11. In accordance with Env-Wt 307.03(c)(5), water quality control measures shall be maintained so as to ensure continued effectiveness in minimizing erosion and retaining sediment on-site during and after construction.
12. In accordance with Env-Wt 307.12(i), wetland areas where permanent impacts are not authorized shall be restored to their pre-impact conditions and elevation by replacing the removed soil and vegetation in their pre-construction location and elevation such that post-construction soil layering and vegetation schemes are as close as practicable to pre-construction conditions.
13. In accordance with Env-Wt 514.05(a), materials used to emulate a natural channel bottom shall be consistent with materials identified in the reference reach and not include any angular rip-rap or gravel unless specifically identified on the approved plan.
14. In accordance with Env-Wt 307.11(a), fill shall be clean sand, gravel, rock, or other material that meets the project's specifications for its use; and does not contain any material that could contaminate surface or groundwater or otherwise adversely affect the ecosystem in which it is used.
15. In accordance with Env-Wt 307.03(c)(6), water quality control measures shall remain in place until all disturbed surfaces are stabilized to a condition in which soils on the site will not experience accelerated or unnatural erosion by achieving and maintaining a minimum of 85% vegetative cover using an erosion control seed mix, whether applied in a blanket or otherwise, that is certified by its manufacturer as not containing any invasive species; or placing and maintaining a minimum of 3 inches of non-erosive material such as stone.
16. In accordance with Env-Wt 307.03(d), any sediment collected by water quality control measures shall be removed with sufficient frequency to prevent the discharge of sediment; and placed in an upland location in a manner that prevents its erosion into a surface water or wetland.
17. In accordance with Env-Wt 307.03(c)(7), temporary water quality control methods shall be removed upon completion of work when compliance with Env-Wt 307.03(c)(6) is achieved.
18. In accordance with Env-Wt 307.03(h), equipment shall be staged and refueled outside of jurisdictional areas (unless allowed) and in accordance with Env-Wt 307.15.
19. All dredging activities shall meet all of the conditions listed in Rule Env-Wt 307.10(a) through (n).
20. In accordance with Env-Wt 307.05(e), to prevent the use of soil or seed stock containing nuisance or invasive species, the contractor responsible for work shall follow Best Management Practices for the Control of Invasive and Noxious Plant Species (Invasive Plant BMPs).
21. In accordance with Env-Wt 307.11(j), wetlands and surface waters shall be restored to pre-impact conditions and elevation as specified in Env-Wt 307.12(i).
22. Restoration of all temporary impacts shall meet all of the conditions listed in Rule Env-Wt 307.12(a) through (i).
23. In accordance with Env-Wt 307.12(f), if any temporary impact area that is stabilized with seeding or plantings does not have at least 75% successful establishment of wetlands vegetation after 2 growing seasons, the area shall be replanted or reseeded, as applicable.
24. In accordance with Env-Wt 307.12(a), within 3 days of final grading or temporary suspension of work in an area that is in or adjacent to surface waters, all exposed soil areas shall be stabilized by seeding and mulching, if during the growing season; or mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1 if not within the growing season.

25. In accordance with Env-Wt 307.03(g)(1), the person in charge of construction equipment shall inspect such equipment for leaking fuel, oil, and hydraulic fluid each day prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
26. In accordance with Env-Wt 307.03(g)(2), the person in charge of construction equipment shall repair any leaks prior to using the equipment in an area where such fluids could reach groundwater, surface waters, or wetlands.
27. In accordance with Env-Wt 307.03(g)(3) and (4), the person in charge of construction equipment shall maintain oil spill kits and diesel fuel spill kits, as applicable to the type(s) and amount(s) of oil and diesel fuel used, on site so as to be readily accessible at all times during construction; and train each equipment operator in the use of the spill kits.
28. In accordance with Env-Wt 307.15(b), mobile heavy equipment working in wetlands shall not be stored, maintained, or repaired in wetlands, except that repairing or refueling in a wetland is allowed if equipment cannot practicably be removed and secondary containment is provided.
29. In accordance with Env-Wt 307.03(e), all exposed soils and other fills shall be permanently stabilized within 3 days following final grading.

**GENERAL CONDITIONS THAT APPLY TO ALL NHDES WETLANDS PERMITS:**

1. Pursuant to RSA 482-A:12, a copy of the permit shall be posted in a secure manner in a prominent place at the site of the approved project.
2. In accordance with Env-Wt 313.01(a)(5), and as required by RSA 482-A:11, II, work shall not infringe on the property rights or unreasonably affect the value or enjoyment of property of abutting owners.
3. In accordance with Env-Wt 314.01, a standard permit shall be signed by the permittee and the principal contractor who will build or install the project prior to start of construction; and will not be valid until signed.
4. In accordance with Env-Wt 314.03(a), the permittee shall notify the department in writing at least one week prior to commencing any work under the permit.
5. In accordance with Env-Wt 314.08(a), the permittee shall file a completed notice of completion of work and certificate of compliance with the department within 10 working days of completing the work authorized by the permit.
6. In accordance with Env-Wt 314.06, transfer of this permit to a new owner shall require notification to and approval by NHDES.
7. In accordance with Env-Wt 307.02, in order to be in compliance with federal requirements, all work in areas under the jurisdiction of the U.S. Army Corps of Engineers (US ACE) shall comply with all conditions of the applicable state general permit (see attached notice).
8. In accordance with Env-Wt 307.06(a) through (c), no activity shall jeopardize the continued existence of a threatened or endangered species, a species proposed for listing as threatened or endangered, or designated or proposed critical habitat under the Federal Endangered Species Act, 16 U.S.C. §1531 et seq.; State Endangered Species Conservation Act, RSA 212-A; or New Hampshire Native Plant Protection Act, RSA 217-A. A copy of this permit shall be posted on site during construction in a prominent location visible to inspecting personnel.

APPROVED:



Karl Benedict  
Land Resources Management, Water Division

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**BY SIGNING BELOW, I HEREBY CERTIFY THAT I HAVE FULLY READ THIS PERMIT AND AGREE TO ABIDE BY ALL PERMIT CONDITIONS.**



OWNER'S SIGNATURE (required)

CONTRACTOR'S SIGNATURE (required)